

DEC 09 2005

PTO/SB/17 (12-04)

Effective on 12/08/2005
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL

For FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 180

Complete if Known

Application Number	10/035,791
Filing Date	October 18, 2001
First Named Inventor	Cole, Philip D.
Examiner Name	Inder P. Mehra
Art Unit	2666
Attorney Docket No.	010327-003300US

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____
☒ Deposit Account Deposit Account Number: 20-1430 Deposit Account Name: Townsend and Townsend and Crew LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Small Entity	Small Entity	Small Entity	Small Entity	Small Entity	Small Entity	
	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Small Entity	Small Entity
	Fee (\$)	Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

Total Claims Extra Claims Fee (\$) Fee Paid (\$) Multiple Dependent Claims
 -20 or HP = _____ x _____ = _____ Fee (\$) Fee Paid (\$)

HP = highest number of total claims paid for, if greater than 20

Indep. Claims Extra Claims Fee (\$) Fee Paid (\$)
 -3 or HP = _____ x _____ = _____

HP = highest number of independent claims paid for, if greater than 3

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$) Fee Paid (\$)
 - 100 = _____ / 50 = _____ (round up to a whole number) x _____ = _____

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other: Submission of Information Disclosure Stmt

Fees Paid (\$)

180

SUBMITTED BY

Signature	Registration No. (Attorney/Agent) 48,602	Telephone 415-576-0200
Name (Print/Type) Brian N. Young		Date December (6), 2005



PTO/SB/21 (09-04)

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

5

Application Number

10/035,791

Filing Date

October 18, 2001

First Named Inventor

Cole, Philip D.

Art Unit

2666

Examiner Name

Inder P. Mehra

Attorney Docket Number

010327-003300US

ENCLOSURES (Check all that apply)

Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Drawing(s)



Licensing-related Papers



Petition

Petition to Convert to a
Provisional ApplicationPower of Attorney, Revocation
Change of Correspondence Address

Terminal Disclaimer



Request for Refund



CD, Number of CD(s) _____



Landscape Table on CD



After Allowance Communication to TC

Appeal Communication to Board
of Appeals and InterferencesAppeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

Proprietary Information



Status Letter

Other Enclosure(s) (please identify
below):

Return Postcard; no references

Certified Copy of Priority
Document(s)Reply to Missing Parts/ Incomplete
ApplicationReply to Missing Parts
under 37 CFR 1.52 or 1.53

Remarks

The Commissioner is authorized to charge any additional fees to Deposit
Account 20-1430.**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

Townsend and Townsend and Crew LLP

Signature

Printed name

Brian N. Young

Date

December (6), 2005

Reg. No.

48,602

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature

Typed or printed name

Mark T. Davis

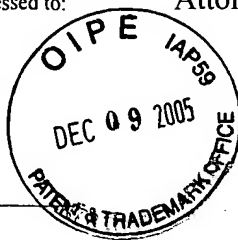
Date

December (7), 2005

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

PATENT
Attorney Docket No.: 010327-003600US

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



On December 7, 2005

TOWNSEND and TOWNSEND and CREW LLP

By: [Signature]
Mark T. Davis

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

COLE, et al.

Application No.: 10/035,791

Filed: October 18, 2001

For: METHOD AND APPARATUS
FOR DISCARDING A PRIORITIZED
FAIR SHARE OF TRAFFIC OF
NETWORK CONNECTIONS

Examiner: Inder P. Mehra

Art Unit: 3939

SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT UNDER 37
CFR §1.97 and §1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A are being called to the attention of the Examiner. Copies of the references are not enclosed.

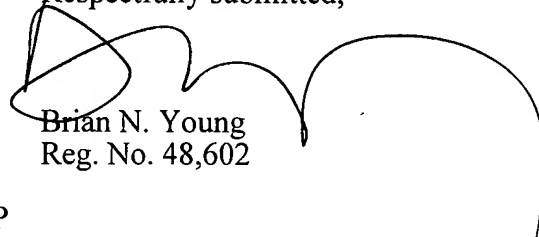
It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

This IDS is being filed before the mailing date of the final Office Action or Notice of Allowance.

Please charge the IDS fee of \$180 to Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



Brian N. Young
Reg. No. 48,602

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PTO/SB/08A(08-03)

Substitute for form 1449B/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet **1** of **1****Complete if Known**

Application Number	10/035,791
Filing Date	October 18, 2001
First Named Inventor	Lewis, Stephen John
Art Unit	3939
Examiner Name	Inder P. Mehra
Attorney Docket Number	010327-003300US

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code ² (if known)			
	AA	US-2002/0194436 A1	12-2002	McKenney, Paul E.	
	AB	US-2003/0002505 A1	01-2003	Hoch, et al.	
	AC	US-5,966,163 A1	10-1999	Lin, et al.	
	AD	US-6,167,030	12-2000	Kilikki, et al.	
	AE	US-6,452,915 B1	09-2002	Jorgensen, Jacob W.	
	AF	US-6,487,202 B1	11-2002	Klausmeier, et al.	
	AG	US-6,549,992 B1	04-2003	Armangau, et al.	
	AH	US-6,556,578 B1	04-2003	Silberschatz	
	AI	US-6,606,301 B1	08-2003	Muller, et al.	
	AJ	US-6,618,390	09-2003	Erimli, et al.	
	AK	US-6,687,225 B1	02-2004	Kawarai, et al.	
	AL	US-6,788,697 B1	09-2004	Aweya, et al.	
	AM	US-6,820,128 B1	11-2004	Firoiu, et al.	
	AN	US-6,829,224 B1	12-2004	Goldman, et al.	
	AO	US-6,856,596 B2	02-2005	Blumer, et al.	
	AP	US-6,868,065 B1	03-2005	Kloth, et al.	
	AQ	US-6,870,854 B1	03-2005	Aimoto, et al.	
	AR	US-6,894,969 B1	05-2005	Chidambaran, et al.	
	AS	US-6,904,015 B1	06-2005	Chen, et al.	
	AT	US-6,918,005	07-2005	Merchant, et al.	
	AU	US-10/045,187		Lowpensky	
	AV	US-10/045,290		Lewis et al.	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.